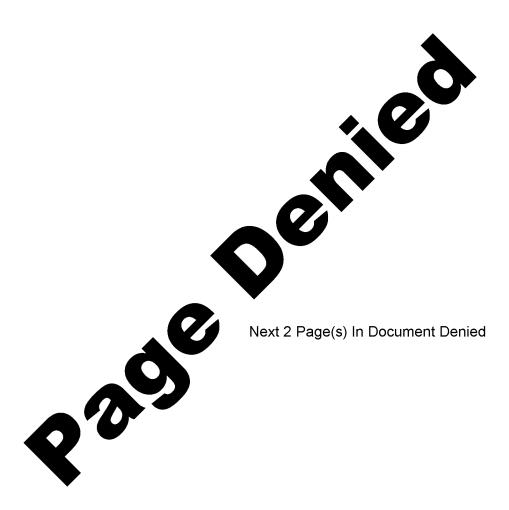
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they bed yeared for \$2.50 to \$3 a square for the power senting for \$2.50 to \$3 a square fort.

Haroid Lucas, head of Newark's Office of Development, said that a streamlining of the approval process for development had contributed to the resurgence of construction here.

"The enthusiastic marketing of the city by the new Mayor has done a lot to turn the corner in terms of changing the image of Newark and its development potential," Mr. Lucas added. "The Mayor is our biggest cheerleader."

'A BEAUTIPUL SIGHT'

At a ribbon cutting ceremony earlier this week, at the site of the rehabilitation of 41 rental apartments on Chancellor Avenue, Mayor Sharpe James extolled the virtues of the city.

"This is a beautiful sight," the Mayor said. "We've come a long way in a short period of time and it's going to get better. This is just one of the opportunities here."

Willaim Johnson, who bought the building from the city in July, said he would spend more than \$1 million to renovate the property.

"The city has done a lot for me and my 12 children." he said, "They were all educated here and most have gone on to college."

Mr. Johnson said he bought his first building from the city, a six-family structure, in 1979 and over the years bought five others.

"I just parlayed the income I got from one into the other." he added. "If there's anything I can do for my city, I'll do it. It gives me pleasure."

Ara Hovnanian, vice president of the Hovnanian company, said the inner cities of New Jersey were providing wonderful opportunities for construction of housing

portunities for construction of housing.
"Newark is one of the prime ones." he said. "Prices have risen so much in the suburbs that a lot of people are being excluded. We have been able to come in with a program large enough to be meaningful."

FEDERAL EMPLOYEES DENTAL BENEFIT PROGRAM

HON. MICKEY LELAND

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES Thursday, October 1, 1987

Mr. LELAND. Mr. Speaker, today I am introducing the Federal Employees Dental Benefits Act of 1987

This bill represents an opportunity to provide to our Nation's 4.8 million Federal employees and annuitants a dental benefit program that is comparable in its design to the dental benefit programs in private industry; 111 million workers in the private sector now enjoy such benefits.

In addition, 36 State governments now offer dental benefits of some kind to their employ-

At the present time, a number of programs participating under the Federal Employees Health Benefits Act provide some dental benefits. The extent of these programs varies, but in many especially the Governmentwide programs, dental benefits are either quite limited or not included at all. Moreover, the possibility of improving dental benefits within a single

Cast in the repeat to Contract than expand.

The separately structured dental benefit program proposed in this bill is, itself, a modest one. But, being founded on a legislative mandate, which includes separate funding, presents two advantages: Expansion of coverage would be contingent upon the cost experience of the dental plan itself, not upon the cost experience of all health benefits as is now the case, and Federal employees and annuitants would have the opportunity to enroll in this program on the basis of their interest against their need for other health coverages, as, again, is now the case.

These advantages are now enjoyed by workers in private industry.

This bill will improve the comparability in compensation for Federal employees with private sector employees, a longstanding objective of the Congress.

A summary of the major provisions of the bill is set forth below:

SUMMARY OF MAJOR PROVISIONS OF "FEDERAL EMPLOYEES DENTAL BENEFIT PLAN ACT OF 1987"

This bill would establish a dental benefits program for Federal employees that is separate from, but parallel to, the Federal Employees Health Benefits Program.

It calls upon the Office of Personnel Management to provide benefits for diagnostic services, preventive care, emergency dental care services, fillings and simple extractions. To the extent available, OPM would contract with a service benefit plan, an indemnity benefit plan, an employee organization plan, an HMO plan and a direct reimbursement plan to provide these benefits. With OPM approval, any plan could offer additional benefits.

The usual cost-sharing provisions (deductibles, copayments (up to 50%), and annual maximums) are permitted, but copayments and deductibles cannot be applied to diagnostic, preventive and emergency services.

The bill includes qualifications for participation by the various models of plans, as well as safeguards against selective enrollment and disenrollment by employees and annuitants.

There is a preemption of state and local law to the extent such law is inconsistent with the plan's contractual provisions.

Under the bill, the Government contribution would be \$3 biweekly (self-only) or \$7 biweekly (self and family) but could not exceed 60% of the premium.

H.R. 3404

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That this Act may be cited as the "Federal Employees Dental Benefits Act of 1987".

DEFINITIONS

Sec. 2. As used in this Act-

(a) The terms "employee", "Government", and "member of family" have the same meanings as such terms have when used in chapter 89 of title 5. United States Code, except that such term includes an employee of the United States Postal Service or the Postal Rate Commission.

covernment opposite plan.
(d) "Annuitant" means an annuitant, as

(d) "Annultant" means an annultant, as defined in chapter 89 of title 5, United States Code, who becomes an annultant on or after the effective date of the Federal Employees Dental Benefits Act, except that in applying such definition, the term "employee" has the meaning set forth in subsection (a) of this section.

DENTAL BENEFITS PLANS

Sec. 3. The Office of Personnel Management shall to the extent available contract for the following dental benefits plans:

(a) DIRECT REIMBURSEMENT PLAN.—One Government-wide plan under which benefits of the types described in section 4(a) are paid directly to covered persons described in section 2 of this Act upon receipt of evidence that expenses for services covered under the plan were incurred.

(b) Service Benefit Plan.—One Government-wide plan under which payment is made by an organization which has contracts or agreements with licensed dentists for benefits of the types described in section 4(a) of this Act rendered to covered persons described in section 2 of this Act; or, in the case of benefits rendered by dentists not under contract or agreement with such organization, like payments shall be made directly to covered persons described in section 2 of this Act.

(c) INDEMNITY BENEFIT PLAN.—One Government-wide plan under which the organization agrees to pay certain sums of money, not in excess of the actual expenses incurred, for benefits of the types described in section 4(a) of this Act rendered to covered persons described in section 2 of this Act.

(d) EMPLOYEE ORGANIZATION PLANS.—Employee organization plans which offer benefits of the types referred to in section 4 of this Act, which are sponsored or underwritten and administered, in whole or substantial part, by employee organizations, and which are available only to individuals and members of their families who at the time of enrollment are members of the organization.

(e) HEALTH MAINTENANCE ORGANIZATION PLANS.—Prepaid dental plans offered by organizations which (1) have been determined by the Secretary of the Department of Health and Human Services to be health maintenance organizations as defined by title XIII of the Public Health Services Act. or (2) receive a majority of their professional income from prepayment, and which have been providing such services for at least three years prior to approval by the Office of Personnel Management of the plan in which employees may enroll.

TYPES OF BENEFITS

Sec. 4(a). The benefits to be provided under the plans described in section 3 of this Act shall include but not be limited to the following types:

(1) diagnostic services (oral examinations and X-rays):

(2) preventive care (cleaning fluoride treatments, pit and fissure sealants, and space maintainers):

(3) emergency dental care services (relief of acute conditions and pain);

(4) fillings; and

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(5) simple extractions.

(b) Subject to the approval of the Office

of Personnel Management-

(1) any plan may offer additional benefits, including crowns, prosthetic devices, additional oral surgery, endodontics, periodontics, orthodontics, and drugs and medicines for which a prescription is required by law and which are prescribed in connection with covered dental services;

(2) any plan may require of a beneficiary copayments for covered services: Provided. That no such copayment shall exceed 50 per centum of the value of the covered service: And provided further. That no copayment shall be applied to the services covered under subsections (1), (2), and (3) of section 4(a)

(3) in the case of a direct reimbursement plan, the government may offer a calendar year benefit express of in dellars per circlier that are equal to the actuation value of the benefit described it section 4 a

(4) any pian may require a calendar year maximum payment under the plan per beneficiary, and

(5) any pian may impose a calendar year deductible for each beneficiary which must be satisfied before such beneficiary is eligible for beneficiar under the plan except that the deflectible ring be applied to services in subsections (1), (2), and (3) of section 4 a).

CONTRACTING AUTHORITY

SEC 5 as. The Office of Personnel Management may contract with qualified organizations offering plans described by section 4 of this Act without regard to section 5 of title 41 or other statute requiring competitive bidding. Each contract shall be for a uniform term of at base one year, but may be mad automatically repressable from term to term in the absence of notice of termination by either part.

the A contract for a pinn described in section 3 b of this Act shall require the carries to allocate its mosts and only sions under the contract among its affiliate which elect to participate, under an equipable formula to be determined by the carrier and the affiliate and approved by the Office of Personnel Management

(c) To be eligible as a carrier for the plan described in section 3-c) of this Act, a company must be limited to issue a roup dental tissue, it act to States and the Darrier

of C. lunding of A contrast for a plan described to set to be account for a plan described to set to be account to the current to recounts with a contrast composite. While the participate under an equiparty formula, to be determined by the carrier and approved by the Office of Personnel Management.

te: Each contract under this Act shall contain a detailed statement of benefits offered and shull include such maximums. Ilmitsteil exciteion and other definitions of benefit and other definition. Manually, and the first of the state of th

beneficial to Otto of Persons Monages here to the first edge of Court and the first edge of the mass of a purded control to the case of the mass of a purappropriate where excludes any person because of rape, seek health status or are.

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(h) The provisions of any contract under this Act which related to the nature or extent of coverage or benefits (including payments with respect to benefits) shall supersede and preempt any State or local law, or any regulation issued thereunder, which relates to dental insurance or plans to the extent that such law or regulation is inconsistent with such contractual provisions.

(f) Rates charged under the dental benefits plans described by section 3 of this Act shall reasonably and equitably reflect the cost of the benefits provided. The rates for the first contract term shall be continued for later contract terms, except that they may be readjusted for any later term on the basis of past experience and benefit adjustments under the later contract. Any readjustment in rates shall be made in advance of the contract term in which they will apply and on a basis which is consistent with the general practice of organizations of ferting plans approved under this Act

ci) Each contract under this Act shift, require the carrier to agree to pay for or provide benefit in an individual case if the Office of Personnel Management finds that the employee, annuitant or family member is entitled thereto under the terms of the contract.

(k) Each contract entered into this Act shall centain provisions requiring the carrier to—

(1) furnish such reasonable reports as the Office of Personnel Management determines to be necessary to enable it to carry out the purposes of this Act, and

(2) permit the Office of Personnel Management and the General Accounting Office to examine such records of the carrier as may be necessary to carry out the purposes of this Act.

(i) Each Government agency shall keep such records, make such certifications and furnish the Office of Personnel Management such information and reports as may be necessary to enable if to carry out its functions under this Act

one The contracts under this Act shall not be subject to the Federal Procurement Requilations, but the Office of Personnel Management is hereby directed to establish by regulation, such audit requirements as are necessary to carry out the purposes of the Act and which are not in conflict with the Federal Procurement Regulations.

FIRSTION OF COVERACE

Since An employee more encoloir an approved dontal benefits plan described by so then 3 of the Act entirer as an individual or for self and family. If an employee has dependents, he must enroll all such dependents in accordance with elicibility standards promulgated by the Office of Personnil Management except as provided in subsection (c) of this section.

(b) An annuitant who at the time he be comes on annuitant was emuly dist a dental

bree fits plan under that Act—
(I as an empty the for a period of not less than A the five years of service immediately before retirement or (E the full period or periods of service between the last day of the first period, as prescribed by regulations of the Orlice of Personne. Management, in which he is clipible to enrols in the plan and the date or which he becomes an annuatant

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coll an employee has a spouse vito as an employee, either spouse, but not both not enroll for seit and family, or each spouse may enroll as an individual However an individual may not be enrolled both as an employee and individual may not be enrolled both as an employee.

ployee or annuitant and as a member of the family.

(d) An employee or annuitant enrolled in a dental benefits plan under this Act may change his coverage or that of himself and members of his family by an application filed within sixty days after a change in family status or at other times and under conditions prescribed by regulations of the Office of Personnel Management.

(e) An employee or annuitant may transfer his enrollment from a dental benefits plan described by section 3 of this Act to another plan described by that section at the times and under the conditions prescribed by regulations of the Office of Personnel Management.

CONTEIBUTIONS AND WITHHOLDINGS

SEC 7(a) The Government contribution for dental benefits for employees or anticontants enrelled in dental benefit, pinns unlet this Act small be \$3 biweek! For an employee or annuitant who is enrolled for soir alone and \$7 biweekly for an employee or governmental contribution shall not exceed 60 per centum of the premium for the benefits provided.

(b) There shall be withheld from the salary of each enrolled employee and from the annuity of each enrolled annuitant as much as is necessary, after deducting the contribution of the Government, to pay the total charge for his enrollment. The amount withheld from the annuity of an annuitant shall be equal to the amount withheld from the salary of an employee enrolled in the same plan providing the same benefits.

(c) In addition, the Government shall contribute an amount, as determined by the Office of Personnel management, up to 5 per centum of each contribution authorises? by subsection (a) of this section of the Federal Employees Dental Benefits Fund for the payment of expenses incurred by the Office of Personnel Management or by an approved dental benefit plan in administering this Act.

(d) The Government contribution for dental benefits for an employee shall be paid—

(1) in the case of employees generally, from the appropriation or fund which is used to pay the employee:

(2) in the case of elected official from an appropriation or fund available for the popular to of other salaries of the same of the establishment and

(3) in the case of an employer of the Fig. have branch who is paid by the Crew. of the House of Representatives, from the contingent fund of the House.

(e) The Government contributions authorized by this section for dental benefits for an annutant shall be paid from annual appropriations which are hereby authorized to be made for that purpose.

(f) The Office of Personnel Management

If the Office of Personner Marian in a state provide for the conversion of bosons rates of contribution specific to this section to rates for employees and annuitant paid on other than a biweekly basis and for this purposes may provide for the adjustment of the covered rate to the nearest

INFORMATION TO EMPLOYERS

Sale for The Offse of Persons Millians result shall make a about the error of purification and attended to the offse and another to Also milliant the Community of Persons. Management a continuous as may be necessary to enable the employee to exercise an informed chomamong the types of plans described by section 3 of this Act.

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(b) Each employee an annuitant enrolled in a dental benefits plan shall be issued an appropriate document setting forth or summarizing the-

(1) services or benefits, including maximums, limitations, and exclusions, to which the employee or annuitant and members of his family are entitled thereunder;

(2) procedure for obtaining benefits, and (3) all provisions of the plan affecting the employee or annuitant and members of his family.

COVERAGE OF RESTORED EMPLOYEES

SEC. 9. An employee enrolled in a dental benefits plan under this Act who is removed or suspended without pay and later reinstated or restored to duty on the ground that the removal or suspension was unjustified or unwarranted may, at his option, enroll as a new employee or have his coverage restored with appropriate adjustments made ir contributions and claims, to the same extent and effect as though the removal or Suspension had not taken place

EMPLOYELS DENTAL EENEFITS FUND

Sec. 10-a). There is hereby created an Empliyees Dental Benefits Fund thereinafter referred to as the "Fund"), to be administered by the Office of Personnel Management. The contributions of employees, anmuitants, and the Government described the section 7 shall be paid into the Fund. The Purious available -

(1) without fiscal year limitation for direct payments of benefits under the plan described in section 3(a) and for all payments to approved dental benefits plans; and

(2) for payment of expenses, not to exceed the Government's contribution authorized by section 7-c) of this Act, incurred by the Office of Personnel Management in administering this Act

st. The Secretary of the Treasury is antharms o to invert and reducest any of the majors in the Fat our interest-bearing obrations of the United States for the purposes of the Fund The interest on and the process, from the sale of any such obliga tions shall become a part of the Fund

ADMINISTRATION

Sec 11ca. The Office of Personnel Management shall administer this Act and prescribe such regulations as are necessary to five full effect to the purposes of this Act the The Office of Personnel Management shall make a continuing study of the operather and administration of this Act, including nurvers and reports on plans available to 1. . .

e. There are here, and erroed to be experied from the Embergers like Insurance Pana, without resard to limitations on expendoures from that Fund, for any fiscal years from the date of enactment inrough the fiscal year ending September 30, 1988. inclusive, such sums as may be necessary to pay administrative expenses incurred by the Office of Ferrance Management in correction of the action of the Action of the action of the English English for the Action of From Villa more of as a rate to be described by the Secretary of the Treasory. shall be made from the Federal Employees Into Benefits Fund which is here;

After British

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ly a report concerning the operation of this. The only time CPSC could inspect an amuse-

EFFECTIVE DATE

Sec. 14. The provisions of this Act relating to the enrollment of employees and annuitants in dental benefits plans and the withholding and payment of contributions shall take effect on the first day of the first pay period which begins on or after December 31, 1987.

AMUSEMENT PARK SAFETY ACT

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES Thursday. October 1, 1987

Mr. WAXMAN Mr. Speaker, on behalf of Mr. Wyden, Mr. Hyde, and myself, I ampleased to introduce H.R. 3412 the Amusement Park Safety Act

Each year millions of Americans enjoy the thrilis and entertainment of amusement park rides. The public enjoys these rides. They assume the rides are safe, that they are well maintained and that their operators are experienced.

But these rides have become increasingly complex. Many can generate speeds and velocity that might challenge an astronaut.

What the public doesn't know is that accidents have occurred at some of the Nation's finest amusement parks. Fatalities and serious injunes have resulted.

Hearings conducted before the Subcommittee on Health and the Environment in 1984, heard testimony from a husband whose wife was killed when she fell out of a roller coaster We also heard from a 15-year-old box who, with his two friends, spent several days in the hospital after crashing 60 feet to the ground because a ride's braking mechanism failed

The Amusement Park Safety Act closes a serious loophole that exists in Federal consumer safety law. Currently, the Consumer Product Safety Commission has authority to order defective amusement rides repaired only if they are located in a traveling carnival or circus. Yet if the identical defective ride is lo-Cated in an amusement park, the agency is ter means the owner of an antisyment promitive a from assuring that the detect is re-

paired
This distinction is both illogical and danger
this consumer soul ous it does not enhance consumer confidence in the safety of amusement park rides

H.F. 3412 would assure the public that in the event of a serious accident involving an amusement park ride, the Consumer Product Safety Commission would be empowered to inspect the ride determine the cause of the accident order its recail and assure that sim a troop in other States are inspected to derecte and a necessary repaired

No agency of the Federal Government presentry has this responsibility. Furthermore less than one-half of all the States have passed laws requiring periodic inspection of amusement park noes. In those States that have enantico taking the level of enforcement is una en encimbatistich:

ATTRICT CONSISTS. I. AND STATE TO STATE TO STATE TO STATE THE STATE OF THE STATE that sain we have be permitted to see but routh) inspections of amusement gark high is the Coughts and unit in States which have passed inspection laws

ment ride in such States would be following an accident on an amusement park ride which involved a fatality or personal injury requiring hospitalization.

In addition, the CPSC would be prohibited from issuing industrywide product safety standards or banning an amusement ride.

Mr. Speaker, I am hopeful the Congress can expedite passage of this needed legislation before next summer's amusement park season begins.

I ask that a copy of H.R. 3412 be printed in the RECORD at this point.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled

SECTION 1 SHORT TITLE, REFERENCE

(a) Short Title - This Act may be cited as the "Amusement Park Safety Act

the Reference - Whenever in this Act at amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Consumer Product Safety ACL SEC. 2. DEFINITION

(a) Definition of Amusement Rip: -(1) Section 3(a)(1) (15 U.S.C. 2052(a)(1)) is amended by striking out the first two sen-tences following supparagraph (I):

(2) Section 3(a) is amended by adding at the end the following: "

"(15) The term 'amusement ride' means any device which carries or conveys passengers along, around, or over a fixed or restricted route or course or within a define of area for the purpose of giving its passenger amusement and which is customent to Controlled or directed by an individual who is employed for that purpose and who is not a consumer with respect to such device. Ar amusement ride which is not permanently fixed to a site is a consumer product for pur poses of this Act and an amusement ride which is permanently fixed to a site-

"(A) is not a consumer product for pur poses of sections 7 and 8, and

"(B) is a consumer product for the re mainder of the Act "(156) The term 'amusement ride opera-

of CONFORMING AMENDMENT -Section 5 to 1 1 to 8 attentional to Straight Tracter (food), as used in this scope maintage term flood, as used in this supplimating a means all flood.

SEC. 3 PUBLIC DISCLOSURE OF INFORMATION. Section 6:b (15 U.S.C. 2055:t:1) r amended-

(1) in the first sentence of paragraph (1) by striking out "the Commission shall through the end of the sentence and inserte and in he withereof the following

nuts Commission shall to the expension of a commission studies to the expension of a information to-

"(A) each manufacturer or private labelies

of the consumer product, and "(B) to each amusement ride operation who owns the amusement ride."

to which the information periods of the mant or in which such concurred together co smustrant for it to be decided as the conen tras. Program takento i respo year A service 1880 (17)

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